

MANSFIELD TOWNSHIP COMMITTEE MEETING

May 13, 2015

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star-Gazette and the Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Watters made a motion to approve the minutes with corrections for the regular meeting held on April 22, 2015, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

BILL LIST:

Mr. Watters made a motion to approve the bill list, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

CLERKS REPORT:

Ms. Hrebenak stated that the codification has been received and the ordinance to accept is on for first reading tonight.

FINANCE REPORT:

Mr. Daniel stated that he and Mrs. Fascenelli met with Mr. Snedecker about the Optional Dental plan that the employees can choose to pay for and his company could not quote this plan any cheaper.

Mr. Daniel stated that Ms. Bishop will be at the next meeting to speak to the Township Committee about the COAH obligations and recommendations for Third Round.

EMPLOYEES REPORTS:

Mrs. Fascenelli stated that the Township Committee should have received a copy of the Tonnage report from 2014 and the Township received credit for 12736.29 tons material recycled not including Wal Mart

or Home Depot because they report directly to the state and then the Township gets credit. Mrs. Fascenelli stated that this will determine the amount of the money that is received.

Mrs. Fascenelli reported that the Township was given copies of the Municipal Carbon footprint which is the report that the Green Team will be completing to get 10 points toward the Sustainable Jersey Certification. Mr. Proefrock put well over 100 hours into this report which includes 2010, 2011, 2012, 2013, and most of 2014. Mr. Proefrock did a wonderful job on this report as did Ms. Keegan.

Mrs. Fascenelli stated that she unfortunately has to report that Ms. Jennifer Keegan has submitted a letter of resignation for the Green Team. Mrs. Fascenelli stated that Ms. Keegan was instrumental in the Township receiving the Bronze status and she will be missed.

RESOLUTION:

**RESOLUTION 2015 – 54
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY
A RESOLUTION TO PROVIDE FOR AND DETERMINE A WAGE FOR A TEMPORARY POSITION**

BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

The wage for the following temporary employee is:

NAME	POSITION	WAGE
Charles E. Carro	Temporary Prosecutor	Not to exceed \$ 4,800.00

This is a temporary position with a not to exceed \$ 4,800.00 annually.

Mr. Watters made a motion to approve the passage of Resolution 2015-54, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

**RESOLUTION # 2015-55
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY
A RESOLUTION TO PROVIDE FOR AND DETERMINE A SALARY FOR THE DEPUTY CLERK POSITION**

WHEREAS, Ordinance # 2015-11 established the salaries and wages for the employees of the Township of Mansfield, County of Warren,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren that the following named employee shall be compensated for the year 2015, unless otherwise noted, in the amount as designated below:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>
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JoAnn Griffith

Deputy Clerk

\$ 30,000.00 annum
Commencing May 18, 2015

Mr. Misertino made a motion to approve the passage of Resolution 2015-55, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

RESOLUTION # 2015-56 LIEN REDEMPTION

TOWNSHIP OF MANSFIELD WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed and the money due thereon paid to the Township of Mansfield Tax Collector;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 13th day of May 2015, that payment is to be made to the certificate holder as noted:

Block	Lot	Address	Lienholder	Cert#	TOTAL REFUNDED	
1602	11	221 Main St	FWDSL & Associates LP	2014-10	\$ 12,015.52	Lien
			5 Cold Hill Rd Ste 11		\$ 23,000.00	Premium
			Mendham, NJ 07945			

Mr. Misertino made a motion to approve the passage of Resolution 2015-56, which was seconded by Mr. Watters.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

RESOLUTION # 2015-57 LIEN REDEMPTION

TOWNSHIP OF MANSFIELD WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed and the money due thereon paid to

the Township of Mansfield Tax Collector;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 13th day of May 2015, that payment is to be made to the certificate holder as noted:

Block	Lot	Address	Lienholder	Cert#	TOTAL REFUNDED	
3203	25	10 Clover Ave	US Bank for Crestar Capital	2013-26	\$ 18,419.41	Lien
			2 Liberty Place		\$ 15,000.00	Premium
			50 S 16 th St, Ste 1950			
			Philadelphia, PA 19102			

Mr. Watters made a motion to approve the passage of Resolution 2015-57, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

RESOLUTION 2015 –58
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY
A RESOLUTION TO PROVIDE FOR AND DETERMINE AN HOURLY WAGE FOR A TEMPORARY POSITION

BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

The hourly wage for the following temporary employee is:

NAME	POSITION	HOURLY WAGE
Judith Casella	Temporary Violations Clerk	\$ 14.47

This is a temporary position with a not to exceed \$ 4,000.00 annually.

Mrs. Kocher made a motion to approve the passage of Resolution 2015-58, which was seconded by Mrs. Korczukowski.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

RESOLUTION 2015-59
APPOINTMENTS TO CERTAIN MUNICIPAL OFFICES AND
POSITIONS FOR THE YEAR 2015:

BE IT RESOLVED, that the following persons be and each is hereby appointed for a period of one (1) year commencing June 17, 2015 to the following respective municipal offices and/or positions of the Township of Mansfield:

Police Officer	Erik Soroka	\$40,000 per annum Beginning 6/17/ 2015
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Mr. Clancy made a motion to approve the passage of Resolution 2015-59, which was seconded by Mr. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mayor Clancy

Nays: None

Absent: None

Abstain: None

RESOLUTION 2015-60

APPOINTMENTS TO CERTAIN MUNICIPAL OFFICES AND POSITIONS FOR THE YEAR 2015:

BE IT RESOLVED, that the following persons be and each is hereby appointed for a period of one (1) year commencing July 1, 2015 to the following respective municipal offices and/or positions of the Township of Mansfield:

Police Officer	Michael Brancheau	\$40,000 per annum Beginning 7/1/ 2015
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Mrs. Korczukowski made a motion Resolution 2015-60, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

Resolution 2015-62

RESOLUTION GRANTING APPROVAL OF THE SUPPORT FOR WARREN COUNTY'S PURCHASE OF A DEVELOPMENT EASE- MENT ON THE ESTATE OF GABRIELLA KLIMAS FARM BLOCK 14 LOTS 10 & 12.01 IN INDEPENDENCE TOWNSHIP & BLOCK 101.02 LOTS 43 & 44 IN MANSFIELD TOWNSHIP AND CONSIST- ING OF APPROXIMATELY 195.7 (3%+) ACRES

WHEREAS, the Warren County Agriculture Development Board has determined that the property known as the Estate of Gabriella Klimas Farm, owned by John F. Klimas, as Executor of the Estate of Gabriella Klimas located on Block 14 Lots 10 & 12.01 in Independence Township and Block 101.02 Lots 43 & 44 in Mansfield Township, consisting of approximately 195.7 (3%+) acres, has available for purchase

a development easement in accordance with the requirements of the farmland preservation program; and

WHEREAS, the pressures from development have significantly heightened the degree of imminence of change of land use from productive agriculture to nonagricultural uses; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on November 10, 2014 it was determined by the State Agriculture Development Committee (SADC) that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on April 24, 2015 the State Agricultural Development Committee has certified a development easement value of \$3,700 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$800 per acre based on zoning and environmental regulations in place as of the current valuation date of June 28, 2014 with an estimated total value of \$724,090; and

WHEREAS, the property is part of the approved Warren County Planning Incentive Grant Application and is funded by the Warren County Open Space, Farmland, Recreation and Historic Preservation Trust Fund; and

WHEREAS, the tract would encourage the survivability of production agriculture in Independence & Mansfield Townships, and said tract falls within a predetermined County Agricultural Development Area and is in the Central and Northeast Project Areas and property is located in the Highlands Preservation Area; and

WHEREAS, on June 9, 2015, the Independence Township Committee is expected to vote by resolution to approve the owner's application for sale of the development easement, but is not participating financially in the easement purchase; and

WHEREAS, the purchase of the development easement on the property will encourage the survivability of the productive agriculture in Independence and Mansfield Townships and Warren County; and

WHEREAS, preliminary approval for the purchase of development rights on this farm has been granted by the State Agricultural Development Committee; and

WHEREAS, the SADC is expected to grant final approval for funding amount on said application at its July 23, 2015 meeting; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on May 21, 2015, the Warren County Agriculture Development Board is expected to approve the funding for the development easement with estimated cost share with no cost share contribution by Mansfield Township as follows: Cost to be shared with the SADC as follows: SADC \$2,620 per acre, Warren County \$1,080 per acre.

WHEREAS, the WCADB approval will include the following conditions:

- a. One existing hunting cabin and shed on premises
- b. No existing agriculture labor housing on premises

- c. One non-severable exception of 1 acre around barn, garage and existing single family residence restricted to one unit
- d. No Residual Dwelling Site Opportunities (RDSO's)
- e. No preexisting non-agricultural uses on premises
- f. Access easements to be determined by title search
- g. No proposed trails
- h. SADC funding from Base grant, competitive round or both
- i. Warren County is requesting SADC funding for a 3% buffer on the final surveyed acreage

NOW THEREFORE BE IT RESOLVED, by the Township Committee of Mansfield as follows:

The Township Committee of Mansfield hereby grants permission for the purchase of the development easement by the County of Warren under the Farmland Preservation Act as set forth above and will not be participating in cost share.

Mr. Watters made a motion to approve the passage of Resolution 2015-62, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

ORDINANCE:

First Reading

ORDINANCE NO. 2015-04

AN ORDINANCE AMENDING CHAPTER 378-1, FOOD ESTABLISHMENTS, OF THE CODE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY, AND TRANSFERRING JURISDICTION FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS CHAPTER TO THE HEALTH DEPARTMENT OF THE COUNTY OF WARREN.

WHEREAS, the Warren County Board of Health serves as the Board of Health for the Township of Mansfield; and

WHEREAS, the Township Code still requires a license be issued by the municipality and charges a fee for the license.

BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Mansfield, in the County of Warren, State of New Jersey, that:

- I. Sections 378-1 through 378-2, inclusive, of Chapter 378 of the Code of the Township of Mansfield regarding the function and duties of the Mansfield Township Board of Health, are hereby repealed, effective upon the assumption of jurisdiction by the Health Department of the County of Warren, as provided below.
- II. The following new Section 378-1 of Chapter 378, FOOD ESTABLISHMENTS, of the Code of the

Township of Mansfield is hereby established as follows:

378-1 FOOD ESTABLISHMENT

8-1.2 Relinquishment of Jurisdiction. The Township of Mansfield, hereby relinquishes its jurisdiction of the administration and enforcement of the licensing of FOOD ESTABLISHMENTS and hereby transfers jurisdiction for the administration and enforcement to the Health Department of the County of Warren. The transfer of jurisdiction shall take effect immediately upon adoption of this ordinance.

8.1.2 Records and Files. The Township of Mansfield shall deliver or make available to the Health Department of the County of Warren any and all records and files of the municipality necessary for the Department to Carry out its function, and the Department is hereby authorized to transfer such records and files to a location designated by the Department.

III. Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

IV. Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

V. Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

Mrs. Korczukowski made a motion to approve the introduction of Ordinance 2015-04 and requested that the public hearing be advertised to be held on June 10, 2015, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

ORDINANCE 2015-05

**TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING
CHAPTER 22 "RENEWABLE ENERGY FACILITIES"**

WHEREAS, the Township of Mansfield previously amended Chapter 22 of the Township Code to provide regulations regarding Renewable Energy Facilities (solar and wind); and

WHEREAS, Chapter 22, Section 3 limits the power generated by minor solar or photovoltaic

energy facilities to 110% of the power consumed by the beneficiary's premises; and

WHEREAS, the beneficiary is required to document through the submission of power company electricity usage bills for twelve months prior to the date of the application in order to obtain a permit; and

WHEREAS, this section conflicts with N.J.A.C. 14:8-4.2 and 4.3 which provide that "a beneficiary's first annualized period begins on the first day of any single monthly billing, at the customer's choice; and

WHEREAS, it the desire of the Township Committee of the Township of Mansfield to amend the existing ordinance in conformance with the aforementioned code section.

NOW, THEREFORE, be it resolved that Chapter 22, Section 3 is hereby amended to read as follows:

"3. Generates not more than 110% of the power consumed by the beneficiary's premises, which shall be documented through the submission of power company electricity usage bills for the twelve months prior to the date of the application, a beneficiary's first twelve month period begins on the first day of any single monthly billing period, at the customer's choice, or another form of documentation acceptable to the Mansfield Township Zoning Officer. This documentation shall be provided at the time of the application."

- I. **Severability**. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.
- II. **Repealer**. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.
- III. **Effective Date**. This Ordinance shall take effect upon final passage and publication as provided by law.

Mr. Watters made a motion to approve the introduction of Ordinance 2015-05 and requested that the public hearing be advertised to be held on June 10, 2015, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

ORDINANCE 2015-06

**ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY
AMENDING CHAPTER 12-1 OF THE CODE OF THE TOWNSHIP OF MANSFIELD ENTITLED "FIRE
PREVENTION"**

WHEREAS, the Township has reached an agreement with the Township of Washington, Morris County for the furnishing of Fire Prevention Services; and

WHEREAS, the Code of the Township of Mansfield currently provides that Fire Prevention Services are provided by the State of New Jersey, Department of Community Affairs Division of Fire Safety; and

WHEREAS, the Township Committee wishes to amend the Code to provide for a Shared Services Agreement with Washington Township, Morris County.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Mansfield, Warren County as follows:

Section 1. Chapter 12-1 entitled "Fire Prevention" of the Code of the Township of Mansfield is amended to read as follows:

Article I. Establishment

§ 12-1. Fire Prevention.

Under the powers and authority granted to the Township Committee by N.J.A.C. 5:71-2.3 et seq.

§ 12-1. Shared Services Agreement.

The Township Committee is authorized to enter into and execute a shared services agreement with Washington Township, Morris County for Fire Prevention Services. The salary of the Fire Prevention staff and the other costs of operating the department shall be allocated, as provided for in such agreement(s).

Section 2. All ordinances and resolutions inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistencies.

Section 3. This Ordinance shall be effective on June 10, 2015 following passage and publication in accordance with law.

Mr. Misertino made a motion to approve the introduction of Ordinance 2015-06 and requested that the public hearing be advertised to held on June 10, 2015, which was seconded by Mrs. Korczukowski.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

TOWNSHIP OF MANSFIELD
COUNTY OF WARREN, NEW JERSEY

ORD. NO. 2015-07

AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES

Be it ordained and enacted by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, as follows:

§ 1-1. Adoption of Code.

Pursuant to N.J.S.A. 40:49-4, the ordinances of the Township of Mansfield of a general and permanent nature adopted by the Township Committee of the Township of Mansfield, as revised, codified and consolidated into chapters and sections by General Code, and consisting of Chapters 1 through LastChapter, together with an Appendix, are hereby approved, adopted, ordained and enacted as the "Code of the Township of Mansfield," hereinafter known and referred to as the "Code."

§ 1-2. Code supersedes prior ordinances.

This ordinance and the Code shall supersede all other general and permanent ordinances enacted prior to the enactment of this Code, except such ordinances as are hereinafter expressly saved from repeal or continued in force.

§ 1-3. When effective.

This ordinance shall take effect immediately upon passage and publication according to law.

§ 1-4. Copy of Code on file.

A copy of the Code in loose-leaf form has been filed in the office of the Township Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance; and, if this ordinance shall be adopted, such copy shall be certified to by the Clerk of the Township of Mansfield by impressing thereon the Seal of the Township, as provided by law, and such certified copy shall remain on file in the office of the Clerk of the Township, to be made available to persons desiring to examine the same during all times while said Code is in effect.

§ 1-5. Amendments to Code.

Any and all additions, amendments or supplements to the Code, when passed and adopted in such form

as to indicate the intent of the governing body to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Township of Mansfield" shall be understood and intended to include such additions and amendments. Whenever such additions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto.

§ 1-6. Publication; filing.

The Clerk of the Township of Mansfield, pursuant to law, shall cause this Adopting Ordinance to be published, in the manner required, in a newspaper of general circulation in the Township. Sufficient copies of the Code shall be maintained in the office of the Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this Adopting Ordinance, coupled with availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-7. Code book to be kept up-to-date.

It shall be the duty of the Clerk or someone authorized and directed by the Clerk to keep up-to-date the certified copy of the book containing the Code required to be filed in his or her office for the use of the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this codification which shall be adopted specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new ordinances are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 1-8. Sale of Code book.

Copies of the Code, or any chapter or portion of it, may be purchased from the Clerk, or an authorized agent of the Clerk, upon the payment of a fee authorized by the Township. The Clerk shall also arrange for procedures for the periodic supplementation of the Code.

§ 1-9. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Township of Mansfield to be misrepresented thereby. Anyone violating this section or any part of this ordinance shall be subject, upon conviction, to one or more of the following: a fine of not more than \$2,000, imprisonment for not more than 90 days or a period of community service not exceeding 90 days, in the discretion of the Judge imposing the same.

§ 1-10. Severability of Code provisions.

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-11. Severability of ordinance provisions.

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-12. Inconsistent ordinances repealed.

- A. Except as provided in § 1-13, Ordinances saved from repeal, below, all ordinances or parts of ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Township of Mansfield which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.
- B. Repeal of specific ordinances. The Township Committee of the Township of Mansfield has determined that the following ordinances are no longer in effect and hereby specifically repeals the following legislation:
 - (1) Ordinance No. 2003-09, Fire District, adopted June 25, 2003.
 - (2) Former Chapter 3-4.11, False alarm, of the 1975 General Ordinances.
 - (3) Former Chapter 3-4.14, Abandon refrigerators and chests, of the 1975 General Ordinances.

§ 1-13. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-12 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to August 13, 2014.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered, prior to the effective date of this ordinance, brought pursuant to any legislative provision.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.

- G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the Township's indebtedness.
- H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract, agreement or obligation.
- I. The levy or imposition of taxes, assessments or charges or the approval of the municipal budget.
- J. The dedication of property or approval of preliminary or final subdivision plats.
- K. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- L. Any ordinance adopting or amending the Zoning Map.
- M. Any ordinance relating to or establishing a pension plan or pension fund for municipal employees.

§ 1-12. Changes in previously adopted ordinances.

- A. In compiling and preparing the ordinances for adoption and revision as part of the Code pursuant to N.J.S.A. 40:49-4, certain grammatical changes and other minor changes were made in one or more of said ordinances. It is the intention of the Township Committee that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.
- B. Nomenclature changes.
 - (1) Instances of “dog catcher” and “dog warden” are changed to “Animal Control Officer.”
 - (2) “State Department of Health and Senior Services” is changed to “State Department of Health.”
 - (3) Where applicable as a result of the dissolution of the Zoning Board of Adjustment, instances of “Zoning Board of Adjustment” are changed to “Planning Board,” except as otherwise set forth in Schedule A.
- C. In addition, the changes, amendments or revisions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

Mr. Watters made a motion to approve the introduction of Ordinance 2015-07 and requested that the public hearing be advertised to be held on June 10, 2015, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

Second Reading:

Mayor Clancy opened the floor for public comment:

Dawn Smith, protested the second reading being held as she is unable to find the publication in the newspaper.

ORDINANCE 2015-02

ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MANSFIELD TO ADD A FEE SCHEDULE FOR CERTAIN TAX RELATED MATTERS

BE IT ORDAINED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that the Code of the Township of Mansfield is hereby amended as follows:

SECTION I. The existing Chapter of the Township Code is hereby repealed in its entirety, and the following new Chapter is adopted in its place and stead, as follows:

§2-18.6 Fees: Tax Sale Certificates; Tax Bill; Tax Searches; Mailings and Returned Checks. The Tax Collector is hereby directed to charge the following:

Duplicate Tax Sale Certificates \$100.00 per certificate

SECTION II. Effective Date. This Ordinance shall take effect upon final adoption.

Mr. Watters made a motion to table the Ordinance 2015-02 until the June 10, 2015 meeting, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

ENGINEERS REPORT:

Dawson Bloom was present from the Engineers office to explain the location of the salt shed and presented a drawing to the Township Committee.

Dawson spoke to the Township Committee in reference to the current ordinances for accessory structures and how it needs to be specified.

EXECUTIVE SESSION:

Mr. Watters made a motion to enter into Executive Session at 8:05 pm, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None
Absent: None
Abstain: None

Return to regular session at 8:50

Roll Call: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mayor Clancy

Mr. Lavery stated that as we emerge from Executive Session the items discussed were Personnel for a court employee, a matter of attorney client privilege, and items dealing with OPRA exemptions these minutes will be available at such time that the Committee determines they are no longer a threat to the public interest.

Mr. Misertino made a motion to issue a RICE Notice to the employee that was mentioned in Executive Session, which was seconded by Mr. Watters.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

RESOLUTION 2015-61
TOWNSHIP OF MANSFIELD
DIAMOND HILLS I – ROAD RESURFACING CHANGE ORDER

WHEREAS, the Township of Mansfield and Top Line Construction Corp. entered into a Contract dated March 12, 2014 for Diamond Hills I – Road Resurfacing; and

WHEREAS, the parties wish to amend the Contract to provide for additional road improvements for a total contract amount not to exceed \$440,630.85.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, in the County of Warren, and State of New Jersey, that the nature of the changes as described in the attached Change Order No. 1 for the Contract with Top Line Construction Corp., dated March 12, 2014 for Diamond Hills I – Road Resurfacing, be and the same are hereby approved, and the Mayor is hereby authorized and directed to execute said Change Order on behalf of the Township.

Mr. Watters made a motion to approve the passage of Resolution 2015-61, which was seconded by Mrs. Korczukowski.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None
Absent: None
Abstain: None

PUBLIC PORTION:

Carol McKeivitt, thanked Mr. Watters, Mr. Misertino, and Mrs. Kocher for coming to the Senior's meeting.

Dawn Smith, Mount Bethel Road, stated that she had prepared the Recreation Trail Grant for submission and wanted to thank Mr. Misertino and Connie Andershonis for their help with the information for the grant and Ms. Hrebenak for submitting the grant.

Mrs. Smith spoke to the Township Committee about the email addresses for the Environmental Commission.

Mrs. Smith questioned what the process is for the property for farmland.

Donna Mulvihill spoke about a list of old business.

COMMITTEE PERSON COMMENTS:

Mr. Misertino stated that the Recreation Committee would like to do three movie nights this year.

Mr. Misertino made a motion to approve the Recreation Commission holding three movie nights, which was seconded by Mr. Watters.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

Mr. Misertino made a motion to approve the contract with Honeywell for the mechanical and automated HVAC system, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mayor Clancy
Nays: Mr. Watters, Mrs. Kocher, Mrs. Korczukowski
Absent: None
Abstain: None

Mr. Watters made a motion to approve the contract for Honeywell immediately move forward, which was seconded by Mrs. Korczukowski.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

Mr. Misertino spoke to the Township Committee in reference to the Creamery and it being in the Port Murray Historic District. Mr. Misertino spoke to the Committee about what is required to demolish the

creamery building.

Mr. Misertino would like to give authorization to get the application filled, which was seconded by Mr. Watters.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

Mr. Watters spoke to the Township Committee about the paperwork that was received from Dennis Bertland in reference to the Mount Bethel Road.

Mr. Watters made a motion to accept the fee schedule for Dennis Bertland, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

Mr. Watters made a motion to approve the court in distress, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

Mrs. Korczukowski stated that she had nothing to report.

Mrs. Korczukowski stated that she and Mrs. Kocher attended a meeting about the Route 57 Scenic byway meeting on Monday, May 11 they are recommending that each municipality should appoint one person at least to represent the Township and would really like two people one a committee member and one a citizen. Mrs. Kocher stated that she gave Ms. Hrebenak two cds that were toolkits to assist the township in the development of the Byway committee.

Mr. Clancy stated that there was a meeting for the salt shed at the DPW.

Mr. Clancy stated that we hired two officers for the Police Department tonight.

Mr. Clancy motion to adjourn at 9:51 pm, which was carried by all.